

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U 338-E) for Approval of its Forecast 2006 ERRR Proceeding Revenue Requirement, to Consolidate all Commission-authorized Revenue Requirements, and to Set Unbundled Rate Components Beginning January 1, 2006.

Application 05-08-002
(Filed August 1, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
ON MOTION TO FILE CONFIDENTIAL INFORMATION UNDER SEAL**

On August 1, 2005, pursuant to Rule 45 of the Commission's Rules of Practice and Procedure, Public Utilities Code Section 583, and General Order No. 66-C, Southern California Edison Company (SCE) requested an order allowing it to file under seal and to maintain the confidentiality of certain confidential and commercially sensitive information contained in the testimony and exhibits that are submitted in this proceeding. The document SCE requests be submitted under seal is the Energy Resource Recovery Account (ERRR) 2006 Forecast of Operations *CONFIDENTIAL VERSION* (SCE-1).

SCE states that portions of the testimony and exhibits accompanying SCE's application contain commercially sensitive, confidential, and proprietary information on SCE's electric energy resources throughout the 2006 Forecast Year, and for managing its power resources to meet customer needs on a least cost basis. Commercially sensitive, confidential, proprietary information about use of utility retained generation resources, energy under SCE contracts, Department of Water Resources contracts allocated to SCE in Decision 02-09-053, management of surplus energy, acquisition and disposition of power to meet

SCE's residual net short and long positions, costs, collateral requirements and hedging is contained within the testimony and exhibits.

SCE believes that maintaining the confidentiality of this information is critical to protecting SCE's ability to function effectively in the energy markets, both electric and gas. If this information were to fall into other market participants' hands, it could and would be used to take advantage of SCE as it seeks to secure and execute transactions to acquire energy products, dispose of long positions, and achieve least cost management of SCE's electric energy portfolio.

SCE's motion is unopposed. Granting this motion will not prejudice other parties because SCE will provide Commission staff access to such information and, upon signing an appropriate protective order, interested parties.¹ Good cause exists to place the information designated above under seal according to the terms of the ordering paragraphs set forth below.

IT IS RULED that:

1. Southern California Edison Company's (SCE) August 1, 2005 motion for authority to file and maintain confidential, commercially sensitive, proprietary information under seal is granted to the extent set forth below.

¹ SCE also filed a motion for approval of its non-disclosure agreement setting forth conditions under which parties may obtain access to, a) confidential, market-sensitive, proprietary procurement information, and b) computer models, databases, programs and input data-set formats SCE used in support of its testimony filed in this application. As a general rule, I do not approve non-disclosure agreements but leave the content of such agreements to the parties. If interested parties are unable to agree on an appropriate protective order, they may tender the outstanding issues needing resolution to the Commission under Resolution ALJ-164.

2. The following document shall be placed under seal for two years from the date of this ruling, through and including September 19, 2007, and during that period shall not be made accessible or disclosed to anyone other than Commission staff except on the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge. The document so protected is SCE's prepared testimony titled Energy Resource Recovery Account (ERRA) 2006 Forecast of Operations *CONFIDENTIAL VERSION* (SCE-1).

3. If SCE believes that further protection of this document is needed after September 19, 2007, it may file a motion stating the justification for further withholding the document from public inspection, or for such other relief as the Commission rules may then provide. This motion shall explain with specificity why the designated document still needs protection in light of the passage of time involved, and SCE shall attach a copy of this ruling to its motion. The motion shall be filed at least 30 days before the expiration of this protective order.

Dated September 19, 2005, at San Francisco, California.

/s/ BERTRAM D. PATRICK

Bertram D. Patrick
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Motion to File Confidential Information Under Seal on all parties of record in this proceeding or their attorneys of record.

Dated September 19, 2005, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.